



UNITED STATES PATENT AND TRADEMARK OFFICE

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MAILED

JUN 2 2004

Office of the Director  
Group 3300

ALFRED M. WALKER  
225 OLD COUNTRY ROAD  
MELVILLE, NY 11747-2712

In re application of : **DECISION ON PETITION**  
Frank Fragnito : **TO MAKE SPECIAL**  
Application No. 10/776,132 : **(APPLICANT'S AGE)**  
Filed: February 11, 2004 :  
For: POSITIVE ENGAGEMENT CONTINUOUSLY VARIABLE TRANSMISSION

This is a decision on the petition submitted on February 11, 2004 under 37 CFR 1.102 (c) to make the above-identified application special under the accelerated examination procedure set forth in MPEP 708.02, Section IV: Applicant's Age.

The petition is **GRANTED**.

An application may be accorded special status upon the filing of a petition providing evidence showing that the applicant is at least 65 years old. Such a showing may be provided by evidence such as a birth certificate or a statement from the applicant.

The evidence submitted with the petition is a declaration signed by Mr. Fragnito indicating that he is at least 65 years of age.

The examiner is directed (1) to make an interference search for possible interfering applications, (2) to promptly examine this application out of turn, and (3) if any interfering application is discovered, to examine such application simultaneously and state in the first official letter of such application that it is being taken out of turn because of a possible interference.

Petitioner is advised that this application will continue to be special, throughout its entire prosecution and pendency, including interference or appeal, if any, only if petitioner makes a prompt ***bona fide*** effort, in response to each Office action, to place the application in condition for allowance, even if it is necessary to conduct an interview with the examiner to accomplish this purpose.

**SUMMARY:** Petition to Make Special **GRANTED**.



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Kenneth J. Dorner  
Special Programs Examiner  
Technology Center 3600  
(703) 308-0866

KJD/slb: 05/26/04